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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION ON THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

Third and fourth periodic reports of States parties

ICELAND*

* For the initial report submitted by the Government of Iceland, see CEDAW/C/ICE/1-2; for its consideration by the Committee, see CEDAW/C/SR.290 and CEDAW/C/SR.291, and Official Records of the General Assembly, Fifty-first Session, Supplement No. 38 (A/51/38), paras. 67-104.

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I. INTRODUCTION

1. The Convention on the Elimination of All Forms of Discrimination Against Women is one of the more important steps taken towards real equality betweer women and men. By becoming parties to the Convention, the member States undertake to place women's issues high on the agenda with the objective of eliminating any discrimination against women, and to take measures to ensure women's influence on their own lives, their influence on the society they live in and thereby their impact on the development of the future of mankind.

2. This is the Icelandic national authorities' combined third and fourth periodic report on their implementation of the Convention in Iceland. The report illustrates the measures taken by the Icelandic authorities since their latest report, i.e., applicable to the period 1992-1997. The report is based on, among other things, the information presented to the Committee on the Elimination of Discrimination Against Women in early 1996 by the Icelandic Minister for Social Affairs and other officials when following up the first and second combined Icelandic report.

3. The measures as reported herein are based on the recommendations of the Committee, hence a special emphasis is placed on the provision of information on women's health, violence against women and the status of women in the Icelandic economy.

4. At the same time as the present report was being prepared, a new four-year action programme on measures to promote gender equality was presented by the Government of Iceland in the Althingi (the Icelandic parliament). The new action programme is based, for example, on the Beijing Platform for Action, with a special focus on the mainstreaming of gender equality. Additionally, a summary of the Beijing Platform for Action has been widely distributed in a translated version in Iceland. The Government of Iceland hopes that this combined third and fourth national report on the implementation of the Convention in Iceland will also be useful domestically as a basis of debate and measures by the authorities, non-governmental organizations and individuals alike.

II. IMPLEMENTATION OF THE CONVENTION

Article 1

5. Icelandic law is based on the principal rule of all persons being equal under the law, irrespective, for example, of gender. The equal status of the sexes is stipulated in the Constitution of Iceland, and a special equal status law has been in effect in Iceland since 1976. The current act is No. 28/1991.

6. In addition to the local legislation, the Icelandic authorities have participated in various international activities pertaining to the rights of women and have shouldered a number of obligations in this respect.

7. Iceland has ratified all the major international treaties applying to the human rights of women. The Convention on the Elimination of All Forms of Discrimination Against Women was signed by Iceland in 1980 and ratified in 1985. The Convention has not been legalized under Icelandic law, whereas it is binding according to international law. The Convention, together with other important human rights treaties and the Declaration on the Elimination of Violence against Women, was published in 1995 by the Icelandic authorities' preparatory committee before the Fourth World Conference on Women. In 1996, the Icelandic Women's Rights Association organized a special introduction of the Convention, and on this occasion the Ministry of Social Affairs published the Convention in an accessible format for the general public. In the same year, the Minister for Social Affairs delivered a report by the Icelandic authorities to the Committee regarding the implementation of the Convention's provisions.

8. In 1979, Iceland ratified two United Nations conventions, i.e., one on economic, social and cultural rights, and the other on civil and political rights. Both conventions contain various provisions pertaining to gender equality. A reference is also made to the resolutions of the International Labour Organization (ILO) Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, ratified by Iceland in 1958, and Convention No. 111 on Discrimination in Respect of Employment and Occupation, ratified by Iceland in 1963. The same applies to these Conventions as to the Committee, i.e., they do not have any direct force under Icelandic law although they are binding according to international law.

9. Iceland is a member of the Council of Europe and the European Human Rights Treaty of 1950, which was ratified by Iceland in 1953. According to Act No. 62/1994, the Treaty has the force of law in Iceland. Furthermore, Iceland is a member of the European Free Trade Association (EFTA) and the European Economic Association (EEA). Significant efforts are made under the umbrella of these international bodies in terms of gender equality.

10. Additionally, Iceland's participation in Nordic equal rights cooperation should be mentioned. This cooperation is based on a Nordic action plan applying to the period 1995-2000. The objectives of the cooperation are as follows:

(a) That the cooperation result in the continued development of a joint Nordic vision and a joint Nordic policy through more comprehensive cooperation in Europe and in an international context;

(b) That the cooperation fuel more effective and comprehensive efforts for gender equality locally in each of the Nordic countries;

(c) That gender perspectives be automatically included in the various fields of policy formulation in society. Gender perspectives should also be taken into account in the policy formulation by the Nordic Ministers' Council.

11. Iceland's participation in international equal rights cooperation has had much impact on the development of gender equality issues in Iceland. This includes, for example, increased mainstreaming, which is clearly illustrated in the Icelandic Government's action programme on gender equality. Additionally, the debate on the status of men and their participation in the efforts for

gender equality have increased considerably in Iceland as in other parts of the world.

12. It should be mentioned that the recommendations by the Committee on the Elimination of Discrimination Against Women on Iceland's implementation of the Convention, made when Iceland's report was taken up for discussion at the Committee's meeting in February 1996, were published in the 1996 annual report by the Office for Gender Equality in Iceland.

Article 2

Subparagraphs (a) and (b)

13. Iceland has a special law intended to ensure equality between women and men and their equal status in all respects. The first law on gender equality in Iceland was passed in 1976 (Act No. 78/1976) and, following review, a new law was enacted nine years later (Act No. 65/1985). This law was quickly subjected to reconsideration, with the current Equal Status Act being enacted in 1991 (Act No. 28/1991).

14. In 1994, significant amendments were made to the Human Rights Section of the Constitution of Iceland on the occasion of the fiftieth anniversary of the Republic of Iceland. The following article was then included in the Constitution:

> "All shall be equal before the law and enjoy human rights without regard to sex, religion, opinion, national origin, race, colour, financial status, parentage and other status.
>
> "Men and women shall have equal rights in every respect."

15. This constitutional provision and the provisions of the Equal Status Act ensure, in the opinion of the Icelandic authorities, the equal legal status of women and men. It cannot be denied, however, that as in other parts of the world, women in Iceland do not enjoy equal status with men. In order to work against such discrimination, the Icelandic State has established a special council of seven members, the Equal Status Council. This is an advisory body for the authorities in all policy formulation in this area and work towards equality between women and men in all fields of society, as stipulated in article 1 of the Equal Status Act. The Act further stipulates that in order to realize the objectives of gender equality, the status of women must be improved. The Equal Status Council falls under the umbrella of the Ministry of Social Affairs. The role of the Office for Gender Equality is, for example, to work for the Equal Status Council. The Minister for Social Affairs hires the Managing Director of the Office for Gender Equality, who in turn hires the personnel for the office.

Subparagraph (c)

16. The Equal Status Complaints Committee was established upon the implementation of the Equal Status Act in 1991. The Committee consists of three attorneys appointed by the Minister for Social Affairs, whereas the Supreme

Court of Iceland appoints two, including the Chairman of the Committee. The role of the Committee is to discuss complaints by individuals who feel they are subject to discrimination on grounds of gender. Both women and men may bring matters before the Committee, although most of them are naturally raised by women. Most of the complaints brought before the Committee pertain to alleged discrimination in the labour market, including employment, employment termination or wages. The average annual number of complaints brought before the Committee is 14, which is perhaps not a very high figure, but it should be kept in mind that the Icelandic population is only 266,000 people. The conclusions of the Committee are not binding on the relevant parties; instead arguments are presented for improvements by the employers, i.e., if the Committee is of the opinion that a certain action is in breach of the provisions of law. If the Committee's suggestions are not agreed to, the Committee may file a complaint in court for acknowledgement of the rights of the party in question and for the payment of damages.

17. During the period 1991-1997, the Committee made recommendations in a total of 62 cases categorized as follows: job recruitment, 62.9 per cent; wage equality issues, 12.9 per cent; employment termination, 9.7 per cent; conditions at the workplace, 6.4 per cent; and other 8.1 per cent.

Article 3

18. The authorities play an important role in working against the traditional views on gender. In 1991, the Government of Iceland passed a four-year action programme on measures to realize gender equality. The programme was slightly amended in 1992 and, on the grounds of article 17 of the Equal Status Act, the action programme was presented again in the Althingi in the form of a parliamentary resolution proposal, which was then passed by parliament. The programme was implemented and recently the Government presented a new proposal on an action programme, applicable to the next four years. The new programme attempts to include the theory of mainstreaming in the Icelandic administrative system.

19. Iceland also takes an active part in Nordic equal rights cooperation and is currently participating in the advancement of the Nordic equal status cooperation programme.

20. In the following sections of this report on articles 5 to 16 of the Convention, various ongoing projects, among other things, will be addressed. Most of the measures by the Government of Iceland originate in the action programme.

Article 4

21. The Icelandic Equal Status Council takes various measures on the grounds of the Equal Status Act with the objective of advancing gender equality. The Office for Gender Equality serves the Council and the Equal Status Complaints Committee, as well as independently working towards such goals. The Office for Gender Equality employs six persons and was allocated 26 million Icelandic kroner from the national budget in 1997.

22. Among the measures taken by the Council is a special campaign before the municipal elections in May 1998 under the slogan "More effective together". This programme focuses on the importance of increasing the number of women on the municipal councils on the grounds that the genders are more effective if they cooperate. All the Icelandic political parties have participated in this programme, which has included a series of meetings throughout Iceland.

23. Another measure by the Council is that in 1994 a special Men's Committee was appointed with the objective of increasing men's participation in the public debate and in the effort towards gender equality. The Committee has proved very active and has particularly focused on discussions on and measures against violence in the home, on the one hand, and on changed regulations regarding parental leave with the objective of increasing men's opportunity to take such leave, on the other hand.

Article 5

24. A fundamental part of the efforts in Iceland in the advancement of gender equality is entailed in expanding the roles of both sexes, working against factors of human existence being the traditional role of one sex but not the other. In the opinion of the Icelandic authorities, this is the way most likely to lead to the elimination of prejudice. So far, the efforts have primarily focused on increasing women's opportunity for full participation in the labour market, in politics and in other areas of the decision process. These factors are still very pressing, and measures against gender-related wage difference and measures to increase the number of women in politics are key factors in the activities of the Icelandic Equal Status Council.

25. Another factor in the efforts by the Icelandic authorities is mainstreaming. Currently there are two experimental projects in progress, where the Office for Gender Equality cooperates with two municipalities in the implementation of this theory in two special fields.

26. Recent years have also seen an increasing focus on the participation of men in the upbringing and care of children, both on the labour market and at home. Their increased participation in these fields is felt to work against the traditional views and prejudice regarding the roles of men and women. Some debate has taken place on the increased opportunity of fathers to take paternity leave, whereas public statistics indicate that a very small percentage (0.3 per cent) of the fathers take such leave. Even though research indicates that the statistics underestimate the percentage of fathers taking paternity leave, the fact remains that reform is needed in this area.

27. In 1997, the Icelandic State and a few municipalities decided to allow fathers in their employ a special two-week leave with full pay upon the birth of their children. This measure was followed up by special legislation allowing all fathers the right to leave but not to full pay.

28. It should also be mentioned that a few of the institutions where childbirth takes place are now offering special parental training. Recently, fathers have been offered special training or sessions with the objective of increasing their

awareness of being a good parent and preparing them for the changes in their lives resulting from childbirth.

29. Among the provisions in the Icelandic Government's latest action programme on gender equality is one pertaining to the option of civil servants to have flexible working hours. The objective of this provision is to facilitate civil servants' being able to combine their family responsibilities and their participation in the labour market. The results of this measure have not yet been analysed.

Article 6

30. Ever since 1940, trafficking in women has been subjected to penalty in Iceland, and prostitution is also illegal. In 1992 the Icelandic Penal Code was amended, making any allurement, encouragement or arrangement of others to engage in sexual intercourse subject to penalty. Additionally, the Penal Code contains a very clear provision for penal action against any importation of women for prostitution. Commission of such an act may result in up to four years imprisonment.

Article 7: women in public life

Subparagraph (a)

31. In 1908 and 1909, strides were made towards increasing the human rights of women. At this time, women obtained the rights to vote and to run in municipal elections. In 1915 and 1920 these rights were expanded to the parliamentary elections. Since then, women and men have had the same formal rights in respect of municipal and parliamentary elections.

32. Increasing the power and influence of women, in particular through political participation, is a very important factor in ensuring women's equality with men. Icelandic women exercise their right to vote in the same fashion as men; for example, in the parliamentary elections in 1994 a total of 87.5 per cent women on the voting register exercised their right to vote and a total of 87.3 per cent men. It should be emphasized that the Icelandic voting participation rates for both women and men are among the highest in the democratic States.

33. Even though Icelandic women have extensively exercised their right to vote from the beginning, the same cannot be said of their exercise of the right to run in elections. They have faced many obstacles. Until 1979, women held auxiliary roles both in the political arena and on the slates of the political parties. An example of this is that until 1970, only one or two women and sometimes not even one, held a seat in parliament. In 1979, the number of women on the slates was 27 per cent, with three being elected to parliament. Since then, women have steadily increased their participation. In the parliamentary elections in 1994, the number of women running amounted to 50 per cent of the total number of candidates. A significant factor here is that there is a special women's list in Iceland, a political slate consisting of women only. The percentage of women on the slates increased from 27 to 35 per cent with the

establishment of the women's list. Excluding the women's list, the number of women on the slates of the other political parties has also increased.

34. After the 1995 parliamentary elections, women held 16 seats (25 per cent) of a total of 63, which is the same percentage as after the elections in 1991. Naturally, not everyone is happy about this division of women and men in parliament. The Icelandic women's movement and the leaders of the Icelandic political parties have discussed the reasons for this situation and ways to improve it, among other things, whether the elections law should be amended in respect of the slates of candidates and the arrangement of the constituencies. It is very difficult for the authorities at any given time, however, to have direct influence in other respects than ensuring that women have the same rights as men.

35. There are various indications, however, that Icelandic women are increasing their participation in political leadership. An example of this is that in the last parliamentary elections a larger number of women than before led the slates in the constituencies. Additionally, for the first time in the political history of Iceland, a woman was elected as the chairman of a political party, and last but not least, it should be mentioned that a woman held the office of the Presidency of Iceland for a period of 16 years, i.e., from 1980 to 1996.

36. Municipal elections were held in Iceland in 1994. Before and after the elections there was an intensive debate on the participation of women, with various views being focused on. The women feared that their representation after the elections would not be satisfactory, basing this opinion on the results of nation-wide primaries and caucuses. The results of the elections were that the total participation rate of women on the municipal councils increased to 25 per cent, whereas it was 22 per cent during the previous municipal term. After the elections in 1986, the participation rate of women on the councils of the larger towns was 28.9 per cent, whereas it was 31.5 per cent after the 1991 municipal elections, which is the same percentage as after the elections in 1996. These results attracted considerable attention and are significant in the events preceding the municipal elections in May 1998 and in the political parties' preparation for them. After the municipal elections in 1994, women were, for the first time, in the majority on the Reykjavík City Council.

37. The development so far has been towards decreasing the number of municipalities in Iceland. Today they are 165, whereas they numbered 204 in the 1990 elections. The minimum statutory population of a municipality is 50 people. There is still a large number of municipalities in Iceland with fewer than 200 inhabitants. Voting for individuals is more common in such municipalities than in the municipalities where the political parties present slates of candidates. The elections are frequently very personal and, in fact, unpolitical, and it is quite common that the same people hold their seats on the municipal councils for long periods of time. It is also quite common in the small municipalities that there are no women on the municipal councils. According to the election results in 1994, the percentage of women on the municipal councils (community councils) of the smallest communities was 21.2 per cent. The number of municipal councils with no women on board has decreased in recent years, however, not only statistically but also

proportionally from 28.4 to 19.4 per cent. The national authorities' policy is to work towards a merger of the smaller municipalities. The primary objective of this policy is to ensure that the municipalities are competent to provide their statutory services, which are steadily increasing. This also illustrates that it is easier for women to be elected on the municipal councils of the larger communities where the political parties present slates of candidates. Presumably, the number of women on the municipal councils will increase, and it may also be assumed that the number of municipalities with no women on their councils will continue to decrease.

38. The division of the top positions between women and men on the municipal councils is interesting. After the elections in 1986, a total of 21.6 per cent of the presidents of the city and town councils were women. In 1990, their number in such positions had risen to 29 per cent and after the last municipal elections the figure rose to 35.5 per cent. In the elections in 1994, a woman was elected for the first time as Mayor of Reykjavík.

Subparagraphs (b) and (c)

39. The way to influence is not only to be found in political participation. Participating in various public committees and councils is also pressing as important policy formulation takes place there. In 1985, a provision of law was passed regarding the division between women and men on public committees and councils. Such a provision was considered important, for example, in the light of the fact that in 1983 the percentage of women on public committees was only 6 per cent.

40. In 1986, The Equal Status Council prepared an overview of the number and division of women and men on public committees in the year 1985. The percentage of women turned out to be just about 11 per cent. A similar study conducted in 1988 for the year 1987 revealed that no changes had taken place - the percentage of women was still only about 11 per cent. In 1990, the Council carried out yet another study on the percentage of women and men on public committees. The results showed that the percentage of women had increased to 16.6 per cent.

41. The Icelandic Equal Status Act has been subject to revision, with a new act having been passed in 1991. On this occasion the provisions of article 12 were made more stringent. The article addresses the appointment of members on public committees, boards and councils, and it became a statutory duty to refer to this provision when appointments are requested for the public committees, boards and councils. The Icelandic Government's four-year action programme on measures to promote gender equality, passed by the Althingi as a parliamentary resolution in May 1993, states the following in paragraph 4:

> "The Government is requested to realize the objective on the percentage of women on the State committees being 30 per cent by the end of the period of validity of the action programme. This refers to the total percentage on the committees of each governmental ministry, not to 30 per cent on each committee. When requests are made for nominations on the committees of each ministry, the name of a man and a woman shall be requested in the future in order for this objective to be realized. The

Equal Status Council shall annually prepare a statistical overview of the gender ratio on the committees, boards and councils."

42. In 1994, the Equal Status Council published the results of a study on the number of women and men on the public committees, showing that the percentage of women had risen to 20.8 per cent.

43. In 1996, the Office for Gender Equality studied the percentage of women and men on the ministers' project committees. Such committees have a special status, as they are temporary project committees requested by the relevant minister to work on certain projects; hence the ministers are in a better position to influence who is appointed on the committees. The number of individuals who were or had been members of such project committees during the period covered by the study totalled 947. The percentage of women was 23 per cent, i.e., just over 2 per cent higher than the total percentage of women on all public committees and councils. The study by the Office for Gender Equality on women's participation in the public committees and councils in 1994 focused in particular on their participation in the temporary project committees of the ministers. The percentage of women turned out to be just over 20 per cent.

44. Referring to the percentage of women on the municipal committees, it is clear that during the term 1990-1994, a total of 30 per cent of the members of the committees, boards and councils of Reykjavík City and the towns was women. This percentage reflects fairly well the participation of women in the city and town councils, which was 31.5 per cent. After the elections in 1994, the comparable participation rate of women on the committees and councils of the municipalities totalled 33.3 per cent. This constitutes a significant increase, taking into account that the number of elected women on the municipal councils had remained nearly unchanged.

45. In 1990, nearly 43 per cent of the committees had no women on board and 6.5 per cent had no men. After the elections in 1994, about 40 per cent of the committees had no women and 8.4 per cent had no men. Considering the division of duties between women and men on the municipalities' committees and councils, it is evident that it reflects the traditional division of the genders' duties. A development may be seen, however, that men are entering the traditional fields of women to a greater extent, while women are increasingly focusing on "their" traditional issues.

46. Since 1911, Icelandic women have had the same rights as men to hold public office. Since 1985, the Office for Gender Equality has monitored the percentage of women in administrative and high positions within the governmental ministries. In this same year the women's percentage in this respect totalled 24 per cent. In 1987, no woman held an under-permanent secretary position in a governmental ministry, and there was only one woman among the ministries' 27 office managers. A study conducted in 1996 shows that the participation of university-trained women in the Icelandic government ministries has been steadily increasing, basically owing to their increased education in the traditional areas of administration, including law and business administration. In 1996, there were two women among the 13 under-permanent secretaries of the

ministries and in the group of university-trained office managers, women now constitute about 25 per cent.

47. Table 1 below illustrates the percentages from 1987, compared with the situation in 1996.

Table 1

Gender percentages in top positions with the State

	1987		1996	
	Men	Women	Men	Women
Under-permanent secretary	100	-	83	17
Office managers	96	4	79	21
University-trained officials	60	40	64	36

48. These figures show that the percentage of women in top positions with the State has increased during the period in question, for example, two women have been employed as under-permanent secretaries. Additionally, the percentage of women holding ministerial office manager positions has increased considerably. The number of men among the university-trained officials (i.e., heads of divisions and other specialized positions) has also increased somewhat.

49. This is an interesting comparison in the light of the fact that in 1987 it seemed that women were firmly advancing into the ministries, although mainly in the so-called middle-management positions. The conclusion to be drawn here is that this development has slowed down somewhat, whereas women have now embarked on a new path, namely they are heading for the top positions, including under-permanent secretary and office manager positions.

50. Looking at the division of male and female court judges, the situation today is that of the total of 38 municipal court judges, 29 are men (76 per cent) and 9 (24 per cent) are women. The total number of assistant judges is 13, of which 8 are men (62 per cent) and 5 are women (38 per cent). The Supreme Court of Iceland has 9 judges (8 men and 1 woman).

Article 8

51. Iceland's diplomatic service is not large in terms of personnel. Today a total of 140 people work in the diplomatic service, 80 of them at the embassies and permanent missions abroad (see table 2 below). There is only one woman among Iceland's total of 23 ambassadors. Appointed in 1991, she was the first woman to become an ambassador in the Icelandic diplomatic service.

Table 2

Women and men in the Icelandic diplomatic service

Position	Men	Women	Total	Women (Percentage)	Men (Percentage)
Ambassadors	23	1	24	4.2	95.8
Minister counsellors	15	1	16	6.3	93.8
Counsellors	8	2	10	20.0	80.0
Secretaries of embassies	16	3	19	15.8	84.2
Total	62	7	69	10.1	89.9
Attachés	0	11	11	100	0

52. According to Icelandic law, the formal opportunity for women and men for promotion in the diplomatic service should be equal, hence the reason for the limited number of women is of a different nature.

Article 9

53. The Act on Icelandic Citizenship, No. 100/1952, was amended in accordance with article 9, paragraph 2, when the Convention was ratified in Iceland. Through this amendment, children receive the nationalities of both their father and mother, not only that of the father, as was the case before.

Article 10

Subparagraphs (a) and (b)

54. The Icelandic authorities have for many years emphasized increasing the education of women with the objective, for example, of ensuring them equal status and equal rights with men. The principal rule of the Icelandic education system is that everyone, girls and boys alike, shall have equal opportunity to study, irrespective of gender, economy, residence or cultural and social backgrounds. The compulsory schooling period is from 6 to 16 years of age. All children have to attend primary school, hence the registration percentage is 100 per cent.

55. About 85 per cent of the Icelandic adolescents who complete their compulsory education continue their studies at the secondary school level. The proportional division of students on the basis of study categories at the secondary school level, on the one hand, and at the specialized and university levels, on the other hand, in 1996 was as shown in table 3 below.

Table 3

Percentage of students by gender according to study categories

	Women	Men
Secondary school level	49	51
Health	95	5
Languages	74	26
Art	72	28
Social science	67	33
Pedagogy and sports, teaching	56	44
Science	49	51
General subjects	47	53
Home economics, nutrition, services	47	53
Business administration and economics	45	55
Industrial subjects and technology	12	88
Special schools and university level	58	42
Languages, human science	66	34
Art	68	32
Pedagogy, teaching	82	18
Social science, law	57	43
Business administration and economics	40	60
Natural science, mathematics	32	68
Technology, civil engineering	21	79
Agriculture, nutrition	39	61
Medicine, health subjects	74	26

56. Since the 1980s, about 60 per cent of graduate students have been women. In the school year 1995/96, a total of 59.5 per cent of women aged 20 completed the exams qualifying them for admission to university, compared with 40.8 per cent of men (see table 4). These figures illustrate that there exists equality between the genders in this regard. Women's advance into the traditional fields of study of men seems to be fairly steady, whereas the same cannot be said of the gender division in the traditional women's fields.

Table 4

Percentage of students by gender graduating from the University of Iceland

	Women	Men
1950-1955	7	93
1970-1975	20	80
1975-1980	33	67
1980-1985	42	58
1985-1990	49	51
1990-1995	57	43
1995/96	59	41

87. Fewer changes have taken place regarding the journeymen's exams. The gender division here from 1980 to 1994 is as shown in table 5.

Table 5

Percentage of graduated journeymen by gender

	Women	Men
1980	6	94
1985	16	84
1990	26	74
1991	22	78
1992	20	80
1993	18	82
1994	21	79

88. Unfortunately, it does not seem that men are becoming equal with women in the traditional women's fields. The attendance at the Icelandic Teachers' Training College indicates that the next few years will see a decrease in the number of men in the teaching profession.

Gender studies

89. The origin of formal women's studies in Iceland may be traced to 1975 when three women established the Library of the History of Icelandic Women. In 1985, an interest group was established on Icelandic women's studies, which then initiated the establishment of the Centre for Women's Studies at the University of Iceland in January 1990. This launched women's studies as a formal 30-unit subject. Additionally, such studies have increased and expanded, and a regular publication on women's studies and related factors is issued.

Subparagraph (c)

60. The proportional gender division among teachers and school principals at the various school levels is very unequal. In April 1996 the situation was as shown in table 6.

Table 6

Percentage of teachers by gender

	Women	Men
Primary school level		
Principals	74	26
Assistant principals	29	71
Teachers	55	45
Secondary school level	77	23
Principals	44	56
Assistant management	20	80
Semester management	28	72
Teachers	30	70
University level	46	54
Rectors	26	74
Professors		100
Docents	8	92
Lectors	22	78
Temporary teachers	45	55
	47	53

61. In 1987, the Minister for Education appointed a special working group with the objective of ensuring that the schools be operated in accordance with the provisions of the Equal Status Act. The committee's report was published in 1990, presenting the following principal objective: "An effort shall be made in all schooling to strengthen the independence and self-esteem of both girls and boys, and to prepare them equally for active participation in family life, employment and in the formulation of society as a whole." A proposal was made on the appointment of a special implementation committee under the umbrella of the Ministry of Education with the task, for example, of promoting the execution of the proposals made.

62. The Implementation Committee has made detailed education efforts, focusing in particular on the teachers, on strengthening various development projects at the schools, and issuing a special booklet entitled Mental Notes for Parents and other Fosterers. The booklet was distributed among the parents of all 11-year-old children in the fall of 1994 and again in the fall of 1995. The children's teachers were especially encouraged to have meetings with the parents to introduce the contents of the booklet. The Implementation Committee has also acted as a link with the Equal Status Council on the making of education materials for the secondary schools about education and jobs with respect to gender.

63. The Implementation Committee's term ended in 1995, at which point a working group was established within the Ministry of Education. The group's main tasks in addition to those stipulated in the Icelandic Government's four-year action programme on gender equality are as follows:

(a) The appointment of a collaboration group to work with the working group on the implementation of article 10 of the Equal Status Act;

(b) A study on equal rights education at the schools;

(c) The launch in 1995 of the preparation of a handbook on equal rights teaching at all school levels;

(d) To aim towards holding a conference on gender equality in the Icelandic school system in the next school year;

(e) Participation in the collaboration projects of the Ministry and the Equal Status Council.

Subparagraph (d)

64. No differentiation is made by the authorities between the genders regarding their right to student loans and grants. Students at the university level and in certain other specialized schools have the right to student loans if their educational progress meets certain requirements. The amount of such loans is the same for men and women, but is subject to social circumstances to a certain extent, for example, whether the relevant student lives at home or rents housing.

Subparagraph (e)

65. This paragraph, which addresses adult literacy programmes and a gender-related difference in the basic education of women and men, does not apply to Icelandic circumstances, for example, because of the compulsory schooling and the good general basic education of the Icelandic people. This paragraph also discusses continued education of wage earners, an area in which the Icelandic authorities wish to make a contribution to increase equality between women and men.

66. In 1991 the Althingi passed an act on vocational training, providing, among other things, the establishment of a vocational training fund. One of the arguments for the implementation of this law was that it would particularly benefit women as a large number of women in the labour market have no vocational training. The demand for grants by this fund has been extensive, and the training achievements by employees have generally been considered good. Unfortunately, no detailed information exists on the division between women and men in terms of the allocations from the fund, but in general it may be said that the Vocational Training Council has emphasized supporting courses for unskilled wage earners and for employees in the caring sector. The majority of employees in these fields of work is women.

Subparagraph (g)

67. Even though men and women formally have equal opportunity to engage in sports, this is de facto not the case. In June 1996, a parliamentary resolution proposal was passed on a policy regarding girls and women's sports. This was followed up by the Ministry of Education appointing a committee with the following objectives, among others: to prepare proposals on how to strengthen the sports of girls and women; to prepare proposals on how to decrease girls' drop-out rates from sports in their adolescent years; to study the financial appropriations to girls and women's sports; to study the coverage by the news media of girls and women's sports; to study the gender division in the leadership of the sports movement; and to study the measures taken abroad for reform in this field.

68. The committee carried out studies in these areas, and the findings showed that fewer women than men held leadership positions within the sports movement, and the coverage by the news media of women's sports was rather limited (10-12 per cent) and had not changed much over the past few years.

69. The committee presented proposals in five different sections on measures to ameliorate the situation. The Minister for Education has stated that various recommendations by the committee will be taken up for consideration, and also that he expects the sports movement to study the report carefully and to increase the participation of women. It should also be mentioned that in the parliamentary resolution proposal on the new action programme on gender equality, the Ministry of Education is specially requested to promote an increased focus on the athletic upbringing of girls and make it be no less than that of boys. Additionally, a study should be made of the news media in respect of the gender images.

Article 11

70. Women have the same legal rights as men to employment, promotion, vocational training and other related matter addressed in this article. It cannot be denied, however, that in various instances statutory rights and reality do not coincide. The Icelandic women's employment percentage rates among the highest in the world today and has steadily increased over the last decades. In 1980, about 65 per cent of women in Iceland worked outside their homes. In 1996 a total of 76.8 per cent of women aged 16-74 years were on the labour market and 86.4 per cent of men. Statistics show that the employment percentage of married women has increased more than that of unmarried women. Currently about 80 per cent of all married women work outside the home, whereas in 1981 this figure was 64 per cent. About 53 per cent of women and 89 per cent of men hold full-time jobs.

Subparagraphs 1 (a) and (c)

71. The Icelandic economy is highly dependent on the work contribution of women. Women are the backbone of the welfare service, the schools, the health system and all general services. Some 46.6 per cent of those on the labour market in 1996 (68,700 out of 147,550) were women. In 1991, the employment rate for women was 45.7 per cent.

72. According to a labour market study by the Statistical Bureau of Iceland, the number of Icelanders who were from 16 to 74 years of age in 1996 totalled 180,700 (163,400 in 1991). In 1991, a total of 32,900 Icelanders were not in the labour force; of that number, 21,900 (66.6 per cent) were women. In 1996, the comparable figure for women had dropped to 62.6 per cent. The percentage of men not in the labour force was 33.4 per cent in 1991 and 37.4 per cent in 1996.

73. A total of 74.5 per cent of all women from 16 to 74 years of age were on the labour market in 1991. The comparable figure for men was 87.4 per cent. In 1996, the percentage of women had risen to 76.8 per cent, whereas the figure for men had decreased somewhat to 86.4 per cent. During this period the number of employed persons increased by 7,000, with women being a clear majority, or 62.9 per cent.

74. These figures confirm that even though men are still a majority in terms of their total participation in the labour market, women have increased their participation at the same time as the participation of men has dropped. The number of unemployed Icelanders was 2.6 per cent in 1991 and 3.7 per cent in 1996. More women than men were unemployed in 1991 (50.9 per cent) and 1996 (53.8 per cent). The unemployment rate of women will be further addressed later in the present report.

Women's employment

75. It is clear from the above that women are increasing their participation in the labour market. Table 7 below gives further details, including age, marital status, the number and age of their children and their education.

Table 7

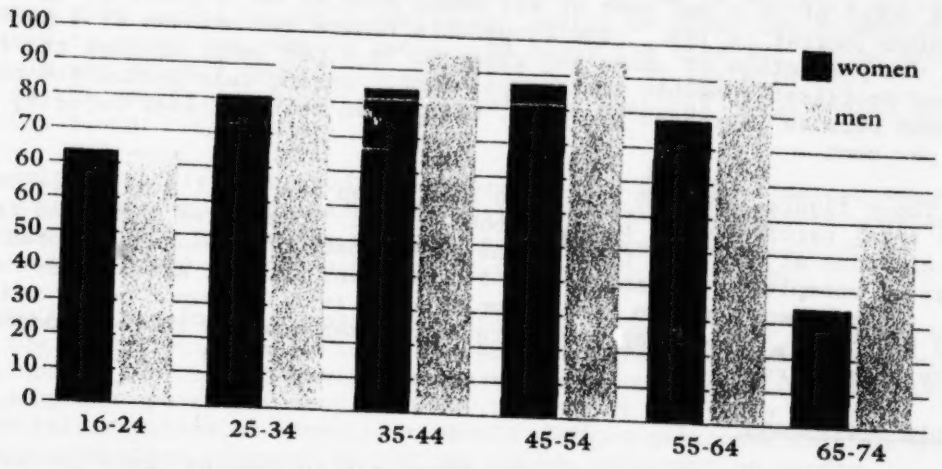
Percentage of women's and men's employment rates

Age	1991		1996	
	Men	Women	Men	Women
16-24	67.1	65.6	71.9	67.2
25-64	96.4	82.7	96.2	87.5
65-74	63.3	34.8	56.4	31.8

76. As stated above, the Icelandic women's employment rate is among the highest in the world, at 76.8 per cent (women aged from 16 to 74 years). The figures in table 7 above show the employment rates of women and men, based on age, during the years 1991 and 1996. This basic age distribution in itself does not illustrate much in respect of the women except that women aged from 25 to 64 years have increased their participation in the labour market to a greater extent than other groups, and men aged from 65 to 74 years have decreased their participation in the labour market.

77. The handbook entitled Women and Men issued by the Statistical Bureau of Iceland contains more detailed statistical information about the employment rates of women by age during the year 1996.

Figure 1. Percentage of women's and men's employment rates in 1996 by age



78. This figure shows that the employment rate of women is in fact fully comparable to that of men. In 1989, the National Economic Institute published a report, entitled Women's and Men's Income, containing information on employment by age. The 1991 report to the Althingi by the Minister for Social Affairs on the status and development of gender equality contains a section on the status of women on the labour market, according to information published in the aforementioned report. Even though the statistics by the National Economic Institute and the Statistical Bureau of Iceland are not comparable due to the different methodology used, they do illustrate that the development as described has continued. That is, women are equally as active on the labour market as men; women in all age groups are active participants in the labour market, and every new generation of women strengthens their position.

79. The publication by the Statistical Bureau of Iceland entitled Women and Men 1997 contains a table showing the employment of women and men from 1920 by marital status. It surfaces, for example, that the percentage of married women on the labour market has increased from 6 per cent in 1930 to 80 per cent in 1996. The employment rate of unmarried women is in fact lower than that of married women, or 71 per cent, which may, to a certain extent, be explained by age, i.e., young, unmarried women who are still getting their education.

80. The employment of women seems more flexible than the men's in some respects and may best be seen by their work percentage. According to the figures by the Statistical Bureau, about 53 per cent of the women held full-time jobs in 1996, compared with 89 per cent of men. In 1991, 52 per cent of women held full-time

jobs and 91 per cent of men. During this period, the number of men in full-time jobs dropped from 91 per cent to 89 per cent.

81. The number of working hours per week varies. In 1996, the average working hours of people, irrespective of gender, totalled 43.7 per week. The number of average working hours was lowest among the youngest group (16 to 24 years of age) or 35.4 per week. Table 8 shows the average number of working hours per week of fully employed men and women by age (1991 and 1996).

Table 8

Average number of working hours per week
by gender and age

Age	1991		1996	
	Men	Women	Men	Women
16-24	52.7	45.4	51.9	44.7
25-64	54.5	45.5	54.4	45.1
65-74	47.5	43.3	46.8	42.9

82. These figures roughly illustrate the work percentage of women and men according to age. It is not surprising that the percentage for men is higher; at the same time the number of hours worked is more flexible according to age for men than for women.

83. The age and/or number of children affect the employment percentage of women to a greater extent than the men's. This fact has appeared in previous research, for example, in a report by the National Economic Institute from 1989. It is stated in the report that as the number of children grew the percentage of hours worked by women decreased. It is also emphasized in the report that nearly all Icelandic women/mothers work to some extent outside of the home irrespective of the number of children they have. Table 9, prepared on the basis of information supplied by the Labour Market Department of the Statistical Bureau of Iceland, shows the percentage of working women aged from 25 to 54 years and the number of children at home.

Table 9

Percentage of women, 25-54 years of age, in part-time and full-time jobs, by children at home

	1991		1996	
	Part-time jobs	Full time	Part-time jobs	Full time
Women 25-54 years	48.7	51.3	42.4	57.6
No children	31.5	68.5	29.5	71.7
Children at home	56.3	43.7	49.7	50.3
- Youngest under 6 years	62.0	38.0	54.6	45.4
- Youngest 7-15 years	49.8	51.2	43.8	56.2
One child	41.8	58.2	41.3	58.7
- Under 6 years	46.0	54.0	39.8	60.2
- 7-15 years	39.6	40.4	42.1	57.9
Two children	67.1	31.9	56.4	45.6
- Youngest under 6 years	67.8	32.2	60.5	39.5
- Youngest 7-15 years	65.7	34.3	46.7	53.3

84. Table 9 shows the changes that took place over the five year period 1991-1996, many of which are quite interesting. It must be kept in mind that during this period unemployment became a fact that the Icelandic wage earners, both women and men, had to face. Unemployment had been fairly unknown in Iceland until this time (see paras. 91-95). The main conclusions to be drawn from table 9 are as follows:

(a) More women aged 24-54 have full-time jobs than part-time. There is a considerable difference, particularly in 1996;

(b) More women from homes where there are children (undefined number and age) were fully employed in 1996 than in 1991, or 43.7 per cent, compared with 50.3 per cent;

(c) Women with young children (under 7 years of age) have increased their work percentage. In 1991 the percentage of fully employed women in this group was 38.0 per cent, whereas it had risen to 45.4 per cent in 1996;

(d) This development is reflected later in the table where the focus is on the number and age of children. The percentage of women who have one child aged under 6 years and are fully employed has risen from 54.0 per cent to 60.2 per cent;

(e) The same development may be seen in the instance of two or more children. The number of fully employed women has gone up significantly.

85. All of these figures indicate the same thing, namely that the employment of Icelandic women is steadily increasing and that they have long since proved the

old myth wrong that women are an unstable workforce. They are on the labour market to stay.

86. This development also reflects women's advancement to increased education. The figures in table 10 illustrate that the greater the education level of women (and men), the greater their employment percentage.

Table 10

Employment percentage according to education and gender

Education	1991		1996	
	Men	Women	Men	Women
Basic education	79.5	72.2	71.7	70.7
Vocational and secondary schooling	90.7	75.5	90.3	80.6
University education	98.7	87.6	94.7	92.0

87. These figures show that there is a very small difference between the employment percentage of university-trained women and men.

88. The Committee on the Elimination of Discrimination Against Women recommends that the Icelandic Government take measures to study the difference between men and women in terms of part-time jobs as this could be an indication of indirect discrimination against women on the labour market. Such a study has not yet been conducted but is included in the parliamentary resolution proposal on the Government's four-year action programme on gender equality. The following is stated: "During the period of validity of the action programme a study will be conducted on the weight of part-time jobs and jobs carried out without permanent employment or which are carried out outside of the regular workplaces by women, on the one hand, and by men, on the other hand." This provision originates directly from the aforementioned recommendations by the Committee.

Gender-related work division on the labour market

89. So far, the work division in the Icelandic labour market is very traditional. Women are breaking the ice, however, and are increasingly advancing in the various fields of conventional men's jobs. It is rarer than before for men to choose employment in the traditional women's fields of work.

Table 11

Fields of work by percentage and gender

	1991		1996	
	Men	Women	Men	Women
Managers and officials	11.3	4.9	10.2	4.1
Specialists	11.2	12.6	12.1	15.3
Specially trained employees	10.4	12.0	11.2	16.9
Office workers	2.7	18.2	3.2	15.1
Service and store workers	13.1	25.6	11.5	26.1
Farmers and fishermen	11.7	4.5	10.1	3.6
Specialized industrial workers	22.7	9.9	24.1	7.7
Machinists and attendants	10.1	1.4	10.8	1.6
Unskilled workers	6.7	11.0	6.3	9.7

90. The figures in table 11 illustrate that the percentage of women among specialists and specialized employees has increased more than that of men. Women are principally employed in the service, store and office sectors, whereas more men are employed in specialized fields of industry and machine and machine tending. Additionally, a higher percentage of men than women are managers and officials, farmers and fishermen. There is a fairly even percentage of men and women occupying the jobs of specialists, whereas there is a proportionally greater number of women among the specialized employees and among those who have no vocational training.

Unemployment and women's unemployment

91. Recent years have seen increasing unemployment in Iceland, which unfortunately has affected women more than men. In 1991 the unemployment rate in Iceland was 2.6 per cent (3.7 per cent in 1996). The number of unemployed women is greater than men, or 50.9 per cent in 1991 and 53.8 per cent in 1996.

92. In 1996, an unemployment study was conducted in Reykjavík. The objective was to obtain a clear image of unemployment in the capital city to facilitate, for example, decisions on measures against this situation. The main results of the study showed that women constituted 59 per cent of the unemployed and that in May 1996, 35 per cent of the unemployed were women in the 21 to 40 year age group. A comparable figure showing men's unemployment was just over 20 per cent. The results also showed that women were generally on the unemployment rolls longer than men. It also came to light that 42 per cent of all unemployed women had children under the age of 6 years.

93. Table 12 was prepared on the basis of data from a report by the Employment and Travel Office of Reykjavík City.

Table 12

Number of unemployed women by age, marital status and number of children

Years of age	Children under 5 years		Children 6-16 years		No children		
	Single	Cohabitation	Single	Cohabitation	Single	Cohabitation	Total
16-20	23	11	0	0	54	12	100
21-30	182	213	14	19	114	30	572
31-40	89	154	87	67	56	7	460
41-50	14	18	37	65	68	38	240
51-60	-	-	4	4	58	87	153
61-70	-	-	-	1	47	108	156
Total	308	396	142	156	397	282	1,681

94. According to the figures in table 12, 65 per cent of women in Reykjavík from 16 to 30 years of age had children under 5. Single mothers totalled 450, or 26 per cent of the unemployed women, and 552 (33 per cent) were mothers in cohabitation.

95. The high percentage of women among the unemployed is explained by many factors. For example increased employment opportunities in various construction work does not solve the problems of unemployed women. Additionally, it is clear that the arrangement of the wage system in Iceland is such that it does not necessarily encourage people to enter the labour market. Presumably, an important factor explaining the high percentage of unemployed women is that women are generally paid lower wages than men, hence they are likely to occupy the low-wage jobs. This theory is supported when considering the educational background of the unemployed. The aforementioned study indicated that the largest groups among the unemployed are unskilled general workers and office and store workers. It attracts attention to the fact that while the workforce with basic education comprises about 34 per cent of the total workforce in Reykjavík, a comparable group among the unemployed is about 65 per cent with women being a clear majority of the group (58 per cent versus 42 per cent).

Special measures to improve the situation of women on the labour market

96. In view of the fact that unemployment has hit women harder than men, the Icelandic authorities, both the national Government and the municipalities, have taken special measures to improve the situation of women.

Women's Education Centre in Akureyri - learning increased life competence for women without paid work

97. A development project of the Ministry of Social Affairs, the Ministry of Education and Akureyri, in northern Iceland, the Women's Education Centre was opened in the fall of 1994. Initially, the Centre was intended for unemployed women, whereas in the early stages the target group became all women with free time at their disposal between 9 a.m. and 3 p.m. The total number of students

at the Centre has reached 130 people aged 18-67 years. Some of them have not completed primary school compulsory examinations, whereas others are university graduates. Generally, the Women's Education Centre's course takes 16 weeks during the year. The focus is on comprehensive studies that may then create the basis of competence for various jobs, further education and/or daily active life. Basically, the study is divided as follows: one third of the course focuses on strengthening the students' self-esteem (life web, dramatic approach and yoga/dancing), one third focuses on practical subjects (English, ethics, personal finance, expression, data processing on computers, looking for a job) and one third focuses on creative work (creative writing, art and crafts). The objective of this study is to increase students' life competence.

Access Course - special task project on employment for women

98. This is a two-year course, offering support to women as company managers, and with a focus on increasing their knowledge, establishing relations and increasing competence. Women with realistic business concepts receive special support as managers. The emphasis is on increasing the women's knowledge and responsibilities in the business environment, thereby increasing the number of jobs in Reykjavík City and strengthening the existing ones. This special task project particularly focuses on the values that women have developed and possess. The experience of other nations cannot be ignored in terms of the greatest innovation in business being entailed in small- and medium-sized businesses, where more often than not the managers are women. It is a fact that the percentage of women among employers in Iceland is smaller than the figure in the other countries with which Iceland frequently compares itself. Nevertheless, in 1993 they amounted to about 25 per cent of employers, with about 50 per cent of the companies established in the past seven years. Women have obtained education and experience from the labour market that differs greatly from men's. It is not known if this has been fully utilized.

99. The Access Course is financed one third by the Ministry of Social Affairs and two thirds by Reykjavík City. The project is headed by the Innovation and Productivity Department of the Technological Institute of Iceland.

Subparagraph 1 (d)

100. Despite the formal equality of the genders and the Equal Status Act, which stipulates that women and men shall be paid equally for equal jobs, repeated surveys have clearly shown that there is a significant difference in the wages of men and women. So far, the genders' wage difference has been explained on grounds of traditional factors, including different working hours, less seniority by women, choice of jobs and the genders' opportunity to get better paid jobs. These traditional explanations of the gender-related wage difference do not suffice according to the results of a study conducted for the Equal Status Council published in February 1994. The objective of this study was not to illustrate the extent of the gender-related wage difference, but to show how such a difference develops and where it is to be found. A study was made of the wages and the employment terms of the employees of four private companies and four public institutions, for example, through interviews with employers and management. The objective of the study was to elucidate the situation of men and women on the labour market and to attempt to illustrate how the decisions on

wages are made, which guidelines are used for determining job recruitment, and how the wage formulation at the relevant institution or company is explained. Here a study was not only made of the actual wages of men and women, but primarily of whether women are subject to gender-related discrimination on the labour market. The answer to this question and also where such discrimination originates should facilitate the authorities' elimination of gender-related wage discrimination.

101. It should be pointed out that generalizing about the gender-related wage difference on grounds of this study is not appropriate as it applies only to eight companies and institutions. There is no indication, however, that a study of other companies would provide any different results. The study revealed that there is a considerable difference in the wages of men and women, in terms of the regular day-work pay, the day-work pay and differentials and the average pay. Women receive 78 per cent of the real regular day-work pay of men. This percentage is even lower when the average pay is studied as the calculations show that women receive 68 per cent of the pay of men. Taking into consideration factors like certain groups of employees, education, seniority, age, the number of overtime hours and the work duties, women receive 11 per cent lower regular day wages and differentials per hour than men. This difference in the wages of men and women can only be explained as gender-related.

102. The study attracted much attention, bringing the wage affairs of women and the gender-related wage difference into the spotlight before the parliamentary elections in 1995. Following publication of the report, the Minister for Social Affairs appointed a working group to present proposals on reform in women's wage affairs. The working group has specially considered gender-neutral job evaluation as a method to work against the gender-related wage difference. A detailed report published by the working group in February 1996, discussed job evaluation as a method in determining wages. A decision was made in its wake on the working group launching an experimental job evaluation project. A full-time employee was recruited and a decision was made to try out a Swedish evaluation system at a few State and Reykjavík City institutions. The institutions selected were the State Hospitals, the Reykjavík Municipal Department of Social Affairs and the Reykjavík Municipal District Heating Utility. These workplaces were selected because traditional women and men's jobs prevail there. It was anticipated that this experimental project will be completed in the first half of 1998, and that its results would provide valuable information and experience on whether and which system of job evaluation might be successfully used to work against the gender-related wage difference in Iceland.

103. The wage difference between men and women is a problem that is deeply rooted in Icelandic society and will only be solved by a number of different measures. Among the measures discussed are a total revision of the wage system and increased equality in family responsibility, which in turn require changed attitudes regarding the roles of women and men in society.

Subparagraph 1 (f)

Sexual harassment

104. The debate on sexual harassment is not new in Iceland. Such a debate took place in Iceland in 1987, for example, when the magazine of the Icelandic Federation of Labour, Vinnan, published the results of a study conducted by the Union of Factory Workers, Idja, in Akureyri. In a study on the status of women conducted in Reykjavík in 1989 and which focused on municipal employees, a question was asked about sexual harassment. The results attracted considerable attention. Students at the University of Iceland have addressed this issue in their publication, focusing primarily on the situation in this respect at the university. The debate has found its way into the Althingi with the members and the government ministers discussing this outside of Althingi's regular agenda. In April 1997, a bill was presented prohibiting any sexual harassment.

105. In the Government's action programme on gender equality, adopted by the Althingi in May 1993, the Minister for Social Affairs was requested to initiate a study on sexual harassment at Icelandic workplaces. Based on the results of this study and the knowledge of other nations, firm measures should then be taken against sexual harassment at the workplace, and provisions thereon should be set by law. The Office for Gender Equality and the Occupational Safety and Health Administration were requested to organize the study, focusing on the labour market only. The objectives are to obtain information on what forms such harassment takes, on the one hand, and to find out under which circumstances behaviour, which may be categorized as sexual harassment, takes place, on the other hand. The results will be published in the early months of 1998.

106. The Office for Gender Equality contributed to drawing attention to this matter and turning it into an "equal rights issue". Discussions have taken place at the Office's initiative on what formal ways exist or should exist for women and men who have been subjected to behaviour that they regard as being sexual harassment. Questions asked included:

- What is the right of the woman/man?
- What is the responsibility of the employer?
- What is the responsibility of the labour union?
- Last but not least, where do the Equal Status Council and the Office for Gender Equality fit in?

Does this fall under the Equal Status Act? The Equal Status Council is of the opinion that the answer to the last question is yes and has recently issued a booklet on the matter. The guideline is the definition by the European Union on sexual harassment, i.e., the same definition that a number of the member States regard as a model. The Office for Gender Equality chose to base its work on this definition as no Icelandic definition of sexual harassment exists.

107. Sexual harassment is defined as behaviour that is unfair and/or insulting, and against the will of the victim. An employee can reject any kind of sexual

relationship affecting promotion opportunity, employment, wages or other working conditions. Such behaviour creates an unpleasant, unfriendly or humiliating atmosphere at the workplace for the relevant employee. This definition emphasizes that it is up to the victim of harassment to determine what she/he regards as sexual harassment. The factor separating such behaviour from flirting, friendly gestures and teasing is that it is against the will of the person subjected to it. This behaviour is not mutual - it is not on equal grounds.

108. As stated earlier, there is no legal definition in Iceland of sexual harassment. The laws most frequently referred to are Penal Code No. 19/1940 and the Equal Status Act of 1991. The provisions of article 198 of the Penal Code stipulate that any person aggressively misusing his position against a person who relies on him for work shall be subject to up to three years imprisonment. Other kinds of sexual harassment are subject to up to two years imprisonment. The Penal Code also contains a provision (art. 209) stating that any behaviour of a sexual nature abusing a person's integrity shall be punishable by law. Recently, a court ruling was made on grounds of this article. Article 198 of the Penal Code has not been exercised much in the Icelandic judicial system. Two court rulings on sexual harassment have been made, however, and in both instances these were cases of men harassing men. This is interesting considering that all existing studies have indicated that women are more frequently the victims of sexual harassment than men.

109. Article 6 of the Equal Status Act stipulates that employers shall not discriminate against their employees on the basis of gender applying, among other things, to working conditions and terms of employment. The Equal Status Complaints Committee/the Office for Gender Equality have interpreted this provision to mean that it is the duty of employers to see to it that sexual harassment does not occur at the workplace.

110. Article 1 of the Act on Working Conditions and Human Health at Workplaces of 1980 stipulates that through this law an effort is made to "ensure a safe and healthy working environment, which shall always be in accordance with the social and technological development in the society". Article 65 of the Act states that the phrase "healthcare for employees" refers to a service established to 'promote the employees' mental and physical well-being". As it is clear that sexual harassment results in indisposition and is out of tune with social development in society, the Occupational Safety and Health Administration has felt that such harassment is in breach of the objectives of the law on occupational safety and health. Hence it has issued certain guidelines, focusing on education regarding sexual harassment at the workplace.

111. The aforementioned parliamentary bill addresses the limitations of Icelandic law in this respect, defining sexual harassment as follows: "Sexual harassment is unwelcome behaviour of a sexual nature creating humiliating or unfriendly circumstances at work, in school or in social cooperation, regardless of whether it is physical, verbal or demonstrated. Sexual harassment entails relations characterized by the misuse of power, strength or status, and is continued despite it clearly having been indicated that such behaviour is unwelcome."

Subparagraphs 2 (a) and (b)

112. The regulations on maternity leave in Iceland are primarily under the umbrella of the Act on Maternity Leave No. 57/1987, the Act on Social Security No. 67/1971, articles 16 and 26 of the Regulation on Maternity Leave No. 546/1987, and Regulation on Maternity Leave by Civil Servants No. 410/1989. Article 7 of the Act on Maternity Leave stipulates that terminating the employment of a pregnant woman is prohibited unless valid reasons exist. Unfortunately, there are still instances of pregnant women or fathers wanting to utilize a part of such leave who have been subjected to employment termination. Women decide themselves when they begin taking maternity leave, which may begin one month before the estimated date of childbirth. The employer must be notified of this with at least a three-week notice. Women who are incapable of working owing to illness in the last weeks of pregnancy have a right to take sick-leave with pay until their maternity leave begins.

113. The Act on Maternity Leave applies to all parents who are employed and whose legal residence is in Iceland. This law guarantees the parents a six-month maternity leave. The parents may divide this period between themselves, but such leave can never be longer than six months.

114. There are two different kinds of payments made during maternity leave, i.e., a fixed childbirth payment and the payment of a special birth per diem. The birth payment is paid to mothers only, irrespective of whether they are employed or not. The special birth per diem, however, is paid to fathers and mothers who quit their paid work during maternity leave. The payments are not linked to income. Civil servants enjoy better rights to the extent that they have the right to receive their wages during maternity leave; hence they do not receive payments from the Social Security Institute.

115. Recent years have seen some debate on the independent right of fathers to take paternity leave. Some changes in this regard have been made. The State and Reykjavík City and a few other municipalities have agreed that fathers in their employ shall have an independent right to a two-week leave, which they are obligated to exercise during the first eight weeks after childbirth or the right is considered waived. Shortly before parliament closed for Christmas in 1997, a bill by the Minister for Health was passed in which fathers on the general labour market were also provided with this right.

116. The Reykjavík City Council has launched a special experimental project regarding fathers and paternity leave. A few fathers have been given a three-month paternity leave on full pay and a special researcher monitors the developments and whether such leave affects the father, the relations within the family and his relations with working life. It is anticipated that the results of the study will generate increased rights for fathers.

117. It should also be mentioned that special education and discussion sessions for prospective fathers are being tried at a number of health and healthcare institutions. The theory is that the fathers' needs in terms of information and education are in many ways different than the needs of the mothers, and also that prospective and new fathers have a certain need to discuss their

experiences, joys and sorrows, with other men who are or have been in a similar situation.

Subparagraph 2 (c)

118. It is the role of the municipal councils to operate kindergartens. Additionally, a few privately owned kindergartens are operated in Iceland. A majority of Icelandic children from 3 to 5 years of age attend kindergarten during part of the day. In 1993 this percentage was 75 per cent whereas in 1995 it rose to 83 per cent. Comparable figures for children under 2 years of age were 15.7 per cent in 1993 and 22.7 per cent in 1995. It is generally acknowledged that a special effort is needed in this field, and currently the largest municipalities are trying to facilitate the access of all children to kindergarten if requested.

119. A special position, the Ombudsman of Children, was established 1 January 1995. The Ombudsman is the spokesperson for all children up to the age of 18 years, which constitutes one third of the entire Icelandic population. The role of the Ombudsman is to work towards full consideration being shown for the rights, needs and interests of children, both by the public authorities and private parties upon legislation, decision-making and planning in society. With this in mind, the Ombudsman shall present recommendations and proposals on reform measures benefiting children in all parts of society. The general situation of children in Iceland is an important factor in connection with the real opportunity of women to participate fully in the labour market and in society on the whole.

Article 12

120. According to Icelandic law, there is no formal difference in the rights of men and women to healthcare services. A few factors should be pointed out, however, that illustrate a clear difference in this regard between the genders.

121. The Icelandic Act on Abortion was amended in 1975. According to this Act, induced abortion is allowed on social and/or medical grounds, and if rape or another punishable act has taken place. Induced abortion shall preferably be carried out before the end of the twelfth week of pregnancy. There exist no limitations as to how often a woman may have an abortion. Most induced abortions in Iceland, about 90 per cent are allowed on grounds of social circumstances.

122. The development regarding induced abortions is shown in table 13.

Table 13

Induced abortions

Year	Annual number	Per thousand	
		Women 15 to 44 years	Live births
1961-1965	77	2.1	16.4
1966-1970	87	2.2	20.1
1971-1975	203	4.6	45.7
1976-1980	472	9.8	109.8
1981-1985	670	12.6	159.3
1986-1990	687	12.0	155.7
1991-1995	762	12.7	169.4

123. The number of induced abortions in Iceland is relatively lower than the percentage in the other Nordic countries, including Finland.

124. According to the Act on Abortion, education and consultation on sexual intercourse and pregnancy shall be available. Such education takes place at the healthcare centres in connection with infant control and at primary schools.

125. Table 14 shows the development of newly registered individuals with (HIV).

Table 14

Newly registered HIV individuals

Year	Per million persons		
	Total	Women	Men
1985	7.5	1.7	13.2
1990	2.0	-	3.9
1991	3.9	1.6	6.2
1992	4.2	0.8	7.6
1993	1.1	0.8	1.5
1994	3.0	1.5	4.5
1995	1.9	1.5	2.2
1996	1.9	1.5	2.2

126. Since 1985, a total of 65 individuals (12 women and 53 men) have been diagnosed as HIV-infected.

127. The main causes of death by gender are shown in table 15.

Table 15

The main causes of death

	Women	Men
	(Percentage)	
Tumours	26	25
Cardiovascular diseases	43	46
Other diseases	28	20
Accidents, other external causes	3	9

Sterilization operations

128. Between 11 and 14 of every 1,000 persons between the age of 15 and 54 years undergo sterilization operations every year. The total number of operations and the division over the last few years is shown in table 16.

Table 16

Sterilization operations

	Total	Women	Men
		(Percentage)	
1992	634	94	6
1993	684	91	9
1994	592	87	13
1995	640	86	14

Violence against women

129. The first real public debate on violence in the home in Iceland took place at a special conference in May 1979, initiated by the Social Work Department of the National Hospital's Psychiatric Department at Kleppur. This was a conference of specialists, attended by about 30 social workers and psychiatrists.

130. At the founding meeting of the Women's Shelter in Reykjavík held on 2 June 1982, the results of a study on violence in Icelandic homes were introduced. The study was prepared on the basis of information from the patient records of the Emergency Ward of Reykjavík City Hospital, which clearly illustrated gender-related violence within Icelandic families. It is felt that the study significantly contributed to convincing the general public and the

authorities, without any special additional measures being needed, that violence in the home is certainly a serious problem in Iceland. The founding meeting of the Women's Shelter was very well attended, with about 200 individuals and organizations becoming founding members.

131. The Women's Shelter formally opened a crisis centre in Reykjavík on 6 December 1982 that has been operated since. Initially, the plan was for other crisis centres to be opened in various parts of Iceland, and one was, in fact, established in Akureyri, in northern Iceland, in 1984. Experience showed, however, that the victims of violence in the rural districts opted to leave their home districts for Reykjavík. The crisis centre in Akureyri was operated only for about one year, and since then there has only been the Women's Shelter in Reykjavík. The development of its operation is shown in table 17.

Table 17

Number of visits at the Women's Shelter in Reykjavík

Year	Visits	Stays	Percentage of first visits
1983	151	151	78
1984	178	178	
1985	147	147	55
1986	135	135	58
1987	114	114	59
1988	154	111	49
1989	152	90	60
1990	179	92	55
1991	217	92	62
1992	372	148	34
1993	375	152	47
1994	395	168	50
1995	283	136	39
1996	368	111	28

132. It was not until 1988 that definitions were being made between the visits and stays. A visit entails an interview and consultation. Developments since 1988 are shown in table 18.

Table 18

Percentage of stays based on visits at the Women's Shelter

Year	1988	1989	1990	1991	1992	1993	1994	1995	1996
Percentage	72	59	51	42	40	41	43	48	30

133. The change in the percentage between visits and stays is interesting. The reason for this is that a significantly greater number of women go to the Women's Shelter in the early stages of a developing violent relationship, i.e., they do not need to stay there but through support and consultation are able to break out of such a relationship.

134. The average length of stay at the Women's Shelter has been increasing. Initially, the average stay was 10 days, whereas in 1996 it had risen to 20 days. The average stay of children was 27.7 days, which indicates that women with more than one child stay longer than other women.

135. The Women's Shelter is run by an independent organization, the Organization of the Women's Shelter. The current number of full employees at the Shelter is between 10 and 12 women. From the beginning, the State and the municipalities were requested to support the operation of the Women's Shelter on grounds of violence against women and children being a social problem. In January 1995 an agreement was entered into between the Women's Shelter and the State whereby the Ministry of Finance covered 60 per cent of the Shelter's operating costs over the following two years. Agreements have also been made with a few municipalities on their contributions. Private individuals, organizations and enterprises finance the purchase of furniture, children's toys, etc., with contributions.

136. In 1996, the percentage of financial support for the Women's Shelter amounted to 106 per cent of the operation expenses and has never been higher. It is, therefore, fair to say that the Shelter is operated by public funds.

137. When the Women's Shelter was opened, the intention was for it to provide assistance both to women who were escaping violence in their home and to women who were victims of sexual abuse. Soon it became clear, however, that it was not desirable to mix these problems. On 8 March 1989, a meeting on combating sexual abuse was held in Iceland and a decision was made to establish the Association against Sexual Abuse. On 8 March the following year, the Stígamót Centre was opened with the financial support of the Icelandic State among others. The Centre has been operated ever since. During the following six years a total of 2,205 individuals turned to the Stígamót Centre, as shown in table 19.

Table 19

Number of individuals turning to Stígamót

Year	1990	1991	1992	1993	1994	1995	1996
Number	250	305	456	309	346	283	256

138. Most of the victims were subjected to abuse before the age of 16, and two thirds were the victims of incest. About one third were rape victims, and approximately 80 per cent of the victims were girls and women. Additionally,

help has been sought because of sexual abuse of boys, and a few men have contacted the Centre because they were sexually abused as children. In 99 per cent of the instances, the perpetrators were men.

139. Two attempts have been made to establish men's groups, i.e., special groups of victims and of persons who are married to victims. Both projects have been dropped.

140. During the period 1989-1994, the average number of formal rape charges per year was 20 or less. Since 1994, the number of charges has decreased totalling 12 in 1995, 1 in 1996 and 5 in 1997. At this point it is not clear whether these figures reflect a real decrease in rape.

141. The penal framework regarding rape is very flexible in Iceland. The most common penalty for rape is 18 to 24 months' imprisonment.

142. A Crisis Centre for Rape Victims was opened on 8 March 1993 at Reykjavík City Hospital's Emergency Ward. One of the objectives is to ensure the victims the opportunity to receive as many kinds of help at one and the same location as possible. This entails the provision of good medical, psychological and legal assistance, to both the relevant individual and the police investigating and filing a complaint if the party in question decides to do so. The service is free of charge for victims and is unique in that it makes no difference how old a case is; the relevant person always has the right to this help. In 1994, a similar centre was established at the District Hospital at Akureyri, in northern Iceland. The opening of the Emergency Centre was meant not only to meet the mental, physical and legal needs of the victims but also to convey the message of the health and justice authorities that rape was a serious crime. This contributes to influencing public opinion and thereby also the views of the medical profession. The experience of the personnel of the Crisis Centre is that medical doctors and nurses seeking advice at the Centre have expressed very favourable views about the availability of guidance, support and education at one and the same location and about being able to send their clients to the Centre for an extensive and specialized service. During the four years since the establishment of the Crisis Centre about 300 individuals have scught help there, of whom about 93 per cent have been women. Nearly half of the victims have been less than 20 years of age, and 63 per cent are younger than 25. The number of visits has increased, and the spokespersons for the Centre are of the opinion that this is more a result of the fact that a larger number of people now know about this facility rather than that the number of rapes has increased.

143. The Ministry of Justice appropriates funds for the Crisis Centre, covering the wages of the legal counsel. The attorney provides assistance in all fields relating to the legal factors of a case, including preparing claims for damage. The operation of the Crisis Centre is intended as a three-year experimental project. This period will be used to accumulate data and assess the need for this kind of assistance.

144. During the first 18 months of operation, most of the people coming to the Centre (29) were from 14 to 20 years of age and 19 were from 14 to 16 years of age.

145. Although the Centre has only been operating for a short period of time, it is fair to say that it has certainly proved its importance, for example, partly because the preparation for its opening was very sophisticated. Seminars were held for all the parties who could possibly be involved one way or the other in its operation. The operation of the Centre has been monitored regularly, and improvements have been made in areas where needed. Spokesmen for the Centre recommended the accumulation of data on the organization of research regarding rape and other sexual abuse against children and adults. This information is now available in a booklet for the investigating officers of the Criminal Investigation Police.

146. A special committee, the Men's Committee of the Equal Status Council, is working under the umbrella of the Equal Status Council. The role of the committee is to strengthen the participation and ensure the views of men in the efforts towards gender equality. Over the past two years, the Men's Committee has focused on generating public debate on violence in Iceland, seeing this as a priority project. In 1994, the Men's Committee organized a seminar at Nordic House in Reykjavík with local and foreign experts, to discuss the subject "Men against violence". In September 1995, the Committee launched a special one-week effort under the slogan "Men against violence", issuing among other things a special textbook on violence, its various forms, how to identify it, etc. The book was distributed at the secondary-school level. This effort attracted much attention and generated public debate. One of the objectives of the Men's Committee in this effort was the adoption of a special method, i.e., group therapy for violent men. The current status of this matter is that the ministries of health and social affairs and the Icelandic Red Cross have promised appropriations; with the result that such group therapy was expected to begin in early 1998.

147. On 11 May 1994, the Althingi passed a resolution proposal requesting the Minister for Justice to appoint a committee to prepare and supervise a study of the causes, extent and nature of violence against women in Iceland. The declared objective was to obtain an overview of the situation with the goal of seeking methods of reform. In continuation of the passing of the proposal, the Minister for Justice appointed the committee, which began its work in February 1995, and among its efforts was the study introduced below.

Main results of the study

148. In April 1996 a total of 3,000 Icelanders between 18 and 65 years of age comprising an equal number of women and men, were telephoned and requested to answer 26 questions, most of which dealt with physical violence. The response ratio was 74 per cent, of whom 47.8 per cent were men and 52.2 per cent women. The division according to districts and age was in accordance with the population division in Iceland.

149. The principal objective of the study was to obtain answers to the following questions:

(a) What is the extent of violence against women and men in the Icelandic society?

(b) What are the relations between the parties exercising violence and the victims of violence?

(c) What is the extent of violence in the home in Iceland?

(d) Are women subjected to violence more by their current than their former spouse?

(e) What are the main causes of violence?

(f) What are the consequences?

150. Some of the questions were identical to the questions of a similar study conducted in Denmark a few years ago. This was done intentionally to facilitate a comparison of the situation in these two countries, which are so alike in many respects.

151. Physical violence refers to four types of violence, i.e., ranging from "lesser" violence where the question focused on whether the victim had been hit or whether he/she had been pushed, to more "extensive" violence. A question was asked whether the relevant party had been hit with a clenched fist or with an object, or whether he/she had been pushed against furniture, a wall, or down staircases. In conclusion, a question was asked about out-and-out attacks and whether an attempt had been made to suffocate or strangle the victim (see tables 20 and 21).

Table 20
Percentage of women and men subjected to physical violence over the past 12 months

	Violence		Thereof extensive violence	
	Women	Men	Women	Men
Once	1.8	2.7	0.9	2.4
More often	1.0	6.7	0.8	3.2
Total	2.8	9.4	1.7	5.6

Table 21

Percentage of women and men subjected to physical violence by their current or former spouse over the past 12 months

	Violence		Thereof extensive violence	
	Women	Men	Women	Men
Once	0.4	0.1	0.3	0.0
More often	0.9	0.7	0.4	0.3
Total	1.3	0.8	0.7	0.3

152. The figures in tables 20 and 21 illustrate, for example, that 1.3 per cent of women and 0.8 per cent of men had been subjected to violence by their spouse over the past 12 months. About 54 per cent of women and 38 per cent of men who have fallen prey to violence were subjected to extensive violence. Women are more frequently subjected to violence by their spouse and also more often subjected to extensive violence.

153. Some 4.5 per cent of Icelandic women say that they have been raped. More than 80 per cent knew the perpetrator. Only 13.3 per cent filed a charge because of the rape. In the instances where the women knew the rapist, only 9 per cent filed charges, whereas 30 per cent of the women who did not know the perpetrator filed charges.

154. The results show that men are subjected to more violence than women, and also that the number of men among the parties exercising violence is significantly higher. Women, however, are more subjected to violence by their current or former spouse than men (see table 22).

Table 22

Percentage of women and men subjected to violence by their current or former spouse or by someone else sometime during their lifetime

	Violence		Extensive violence	
	Women	Men	Women	Men
Current spouse	4.8	1.5	1.8	0.4
Former spouse	9.0	2.4	5.3	0.8
Current or former spouse	13.8	3.9	7.1	1.2
Others	15.3	43.4	8.0	31.2

155. Only 0.7 per cent of women have been subjected to violence by both their current and former spouse. This illustrates that few women who have lived with men who subjected them to violence start living with another man who subjected them to violence.

156. The difference between the genders becomes clearer when looking at the figures regarding the perpetrators in table 23.

Table 23

Percentage of women and men who have exercised physical violence against their current or former spouse or against others

	Violence		Extensive violence	
	Women	Men	Women	Men
Current spouse	4.0	1.9	1.0	0.1
Former spouse	3.9	2.2	0.4	0.6
Current or former spouse	7.9	4.1	4.1	0.7
Others	5.8	24.2	1.8	14.7
Self-defence	34.5	19.5	41.2	28.6

157. One of the factors illustrating the difference in violence by men and women is that proportionally more women who exercise violence have been subjected to violence more often than men who exercise violence. A total of 70 per cent of women who exercise violence have also been subjected to violence. A total of 37 per cent of men who are subjected to violence also exercise it.

158. Violence is frequently exercised in self-defence, and self-defensive violence is more common among women than men. In 35 per cent of instances, women said that an act of violence by them against their husband or former spouse was in self-defence. About 20 per cent of men replied in similar terms. The percentage of women exercising extensive violence in self-defence was 41 per cent versus nearly 29 per cent of men.

Table 24

Percentage of women and men subjected to physical violence by their current or former spouse or by someone else during their lifetime

	Violence		Extensive violence	
	Women	Men	Women	Men
Current spouse	4.8	1.5	1.8	0.4
Former spouse	9.0	2.4	5.3	0.8
Current or former spouse	13.8	3.9	7.1	1.2
Others	15.3	43.4	8.0	31.2

159. It seems that most Icelandic women who are subjected to violence take action, i.e., they seek some kind of help. The few who do not do so say either that they are not prepared to end their marriage, or that they do not regard the abuse as being serious. This means either that the women do not regard violence as degrading, which has sometimes been thought, or that violence is underestimated in the study, and that the women who feel ashamed of discussing violence are not included in the study.

160. Most women in such circumstances seek informal help. A total of 70.5 per cent turn to their families, and a majority of the women (68.4 per cent) are satisfied with the help they received. A total of 64.3 per cent sought the assistance of friends, and 80.6 per cent were satisfied with the help they received. A total of 28.6 per cent went to the police, and over 50 per cent were satisfied with their reaction. Relatively few have turned to the women's movement, i.e., 14.3 per cent sought the assistance of the Women's Shelter, and 3.6 per cent turned to the Women's Counselling Centre. Most of the women, however, were satisfied with the assistance by these parties. All of the women who turned to the Women's Counselling Centre expressed their satisfaction, compared with 81.3 per cent of those who turned to the Women's Shelter.

161. When asked about their own explanations for the violence, 71.4 per cent of women mentioned alcohol, 62.5 per cent jealousy, 30.4 per cent divorce or a request for divorce, 25.9 per cent mentioned disagreements over financial matters, 8 per cent disagreements over children, 7.1 per cent serious illness, 6.3 per cent loss of job, and 4.5 per cent pregnancy.

162. When asked about the consequences of violence, 85 per cent of the women said they are more cautious/aware; 40 per cent have anxiety attacks; 40 per cent have experienced difficulties in communicating with others; 38 per cent are angry; 33 per cent say their self-esteem has suffered; 31 per cent have sleeping problems; 29 per cent fear for their children; 28 per cent suffer depression; 28 per cent feel ashamed; 26 per cent are afraid; and 25 per cent experience feelings of guilt.

What should be done next?

163. After the Minister of Justice presented his report on the study, some discussion took place in the Althingi and in the news media. People agreed on the need for further steps being taken in order to reduce violence.

164. Following this debate, the Minister of Justice appointed three committees. One consisted of members appointed by the ministries of health, education and social affairs, as well as of a representative of the Ministry of Justice. This committee is to study whether it is necessary to amend Icelandic law in order to fight this kind of violence, to study how to strengthen the activities of non-governmental organizations engaged in preventive measures and measures against violence in the home, to present proposals on preventive measures and measures to help the victims and perpetrators in home violence, and to study who should provide such measures of help. In other respects, the committee's sphere of activity was not defined.

165. The second committee was requested to study the handling of such matters in the judicial system and to present proposals to the Minister for Justice on necessary reform in this regard, including proposals on amendments of the Penal Code and the law of criminal procedure, if needed. The committee consists of a judge appointed by the Board of the Icelandic Judges' Association, who chairs the committee, a representative appointed by the Ministry of Justice, as well as a member appointed by the State Prosecutor.

166. The third committee focuses on the procedures in such cases, i.e., the investigation and procedures by the police. The committee will present the

minister with proposal on necessary reform, including proposals on amendments of the Penal Code and the law of criminal procedure, if needed. The State Chief of Police chairs the committee, which also consists of a representative of the Ministry of Justice and a member appointed by the Reykjavik Chief of Police.

167. Among the factors being studied is whether a police decree is sufficient in respect of ordering an injunction against approach, and also on providing the victims with legal counsel. If these proposals are agreed, amendments to the law will be needed. According to the existing law, a decree by a judge is required for placing an individual under an injunction against approach. Experience has shown that this arrangement is far from being sufficient. It should be mentioned for information purposes that at the time the present report was being concluded, the Minister of Justice presented a comprehensive report on the recommendations of the aforementioned three committees to parliament.

168. In 1995, a bill was passed on the State Treasury guaranteeing the payment of damages to the victims of violence as ruled by court. This provision will be implemented around the middle of this year and is considered to be a significant judiciary reform. The objective of the law is to strengthen the position of the victims by having the State Treasury pay the compensation for physical damage and suffering resulting from a violation of the general Penal Code, with the emphasis being on sexual abuse, as well as on damage to property resulting from such violation, provided that the perpetrator is in state confinement because of his violation or against his will.

169. Compensation for damage resulting from a violation of the general Penal Code that the perpetrator is sentenced to pay the victim, rarely amounts to the realistic value as the perpetrator is seldom in a position to pay the damage, and in many instances it is unlikely that he will be in such a position in the near future. The guarantee by the State Treasury for the payment of such damage is therefore important to the victim.

170. The objective of the law is for the State to pay compensation for physical damage and suffering resulting from a violation of the Penal Code. Generally, the prerequisite is that the violation takes place within Icelandic jurisdiction. If the victim dies as a result of the violation, the damage is based on the suitable funeral costs and compensation for the loss of a provider. According to the law, physical damage shall also be compensated when it results from aiding the police in the course of arrest, civil arrest, or when someone prevents a law's being broken.

171. Additionally, the law stipulates the payment of damage to property resulting from a violation of the general Penal Code, provided that the perpetrator is in prison, apprehended with the objective of being placed in confinement, is in police custody or is placed in a hospital against his will. In such instances, compensation shall be made for damage to the premises of an institution or damage incurred during a perpetrator's authorized absence or in connection with a perpetrator's escape.

172. The principal prerequisites for damages being paid according to the provisions of the law are that the violation is reported to the police, and that the victim presents a claim for the payment of damage by the perpetrator. The

provisions of the law also apply even though the identity of the perpetrator is not known, is incompetent to stand trial or cannot be found.

173. The main rule of the law is that the victim has a legally protected claim for the payment of damages by the State Treasury.

174. It is also a fundamental rule of the law that all payments received by the victim as compensation for damage are deductible from the payments he has a right to by the State Treasury. This is based on the argument that the main purpose of the law is to compensate the damage that the victims of law violations cannot get otherwise.

175. Finally, it should be mentioned that in 1996, the Minister for Social Affairs appointed a committee to study sexual abuse against the mentally disabled. The committee has completed its work and has suggested to the minister that a comprehensive study be made on the extent of such abuse in Iceland. Additionally, the committee proposed that education on these matters be greatly increased among the mentally disabled, their parents and the personnel of institutions. The committee is also of the opinion that general sexual education should be increased as well as the self-esteem of mentally disabled individuals.

Article 13

176. There exists no formal discrimination between men and women in Iceland regarding other areas of economic and social life.

Subparagraph (c)

177. The rights of men and women to participate in recreational activities, sports and cultural life are, of course, the same. A reference has previously been made to the situation in sports in particular, but the following is a reference to the support provided artists by the State.

178. According to Act No. 35/1991, with amendments thereto, there are annual appropriations of work and travel grants to artists. The division by gender of the applications and appropriations during 1996 and 1997 is shown in tables 25-28.

Table 25

Applications for work grants for artists in 1996

	Total	Women	Men	Women (Percentage)	Men
Art Fund	146	70	76	48	52
Painters' Fund	219	124	95	57	43
Writers' Fund	190	52	138	27	73
Composers' Fund	20	1	19	5	95
Total	575	247	328	43	57

Table 26

Appropriations of work grants for artists and travel grants in 1996

	Total	Women	Men	Women (Percentage)	Men (Percentage)
Art Fund	32	12	20	38	63
Travel grants	23	9	14	39	61
Painters' Fund	25	8	17	32	68
Travel grants	1	-	1	-	100
Writers' Fund	53	18	35	34	66
Travel grants	6	3	3	50	50
Composers' Fund	4	-	4	-	100
Total	144	50	94	35	65

Table 27

Applications for artists' work grants in 1997

	Total	Women	Men	Women (Percentage)	Men (Percentage)
Art Fund	141	72	69	51	49
Painters' Fund	224	127	97	57	43
Writers' Fund	184	52	134	28	73
Composers' Fund	24	4	20	17	83
Total	573	255	320	45	56

Table 28

Appropriated work grants for artists and travel grants in 1997

	Total	Women	Men	Women (Percentage)	Men (Percentage)
Art Fund	29	15	14	52	48
Travel grants	18	11	7	61	39
Painters' Fund	33	17	16	52	48
Travel grants	2	1	1	50	50
Writers' Fund	65	20	45	31	69
Composers' Fund	4	-	4	-	100
Travel grants	1	-	1	-	100
Total	152	64	87	42	57

179. Additionally, the Althingi makes annual appropriations of honourary grants to artist. Currently there are 14 artists in this category, i.e., 3 women and 11 men.

Article 14

180. During the winter of 1988, the Althingi requested the Minister for Social Affairs to prepare a report on rural women's employment opportunities. A special study was made with the results being published in a report in 1989. Reform measures are recommended in the report with three objectives in mind: to assist unemployed women through courses and practical training; to establish women's groups and assist the existing groups; and to assist women to establish small enterprises and services that suit the economy of the relevant municipality.

181. The report emphasizes the need for measures being taken in these fields. Rural women in Iceland have limited employment opportunities, and there is considerable unemployment in various parts of the country. There seems to be much interest among women to establish small enterprises, and there is every reason to further utilize this interest in creating new opportunities and improving the living conditions in the rural areas.

182. In 1988 the Minister of Agriculture appointed a committee to accumulate information about and to assess the status of women in agriculture. The study's results revealed that 35 per cent of the wives of farmers have paid jobs outside of the farm, and also that a great majority of these women want to do this, emphasizing the importance of irregular working hours. The committee published its report in 1989. Some of its proposals follow:

(a) Courses should be held on subjects focusing on the establishment of private enterprises. The report emphasizes the need to ensure funds for such a campaign based on improving the employment opportunities of rural women, both in terms of financing the courses and the establishment of enterprises;

(b) The Farmers' Association of Iceland should take an active part in this effort to create jobs, focusing on the opportunities of women, among other things, by increasing the number of women on the committees and councils of the Association.

183. It was the joint opinion of the members of the committee that the unemployment rate of rural women was higher than public indicators show. They also focused on the need to seek advice in respect of increasing employment opportunities in the rural areas and to encourage and assist women's participation in this effort.

184. Various factors in this article, for example, the right to health service, reading classes, and access to the social security system, are the same, irrespective of whether the focus is on rural women or men, or men and women in the densely populated areas. The employment opportunities of rural women, however, are significantly more limited than those of men or of those living in towns or cities. The Icelandic authorities have taken action, for example, through the working groups appointed by the governmental ministries previously mentioned in this report. The working groups and the proposals they have made focus primarily on this issue, namely on measures to improve the employment opportunities of rural women. A short summary of the measures taken to strengthen their position follows.

185. In 1991 a fund was established on women's employment issues. Until 1994, this fund made appropriations to rural women only, whereas since then all women have had the opportunity to send in applications to the fund. The reason for this change is that there is not much difference in the employment rate of women in the rural or densely populated areas. When the appropriations are made, consideration is shown for the employment situation in the relevant districts and in the districts where the unemployment rate among women is relatively highest. More consideration is shown for these areas, and an effort is made to channel appropriations there. When the applications are evaluated, consideration is also given to the number of women the projects in questions will benefit. The development projects felt most likely to increase the employment opportunities of women are given priority. The percentage of appropriations to the capital area since the change was made has been such that in 1994 27 per cent was channelled there, compared with 14 per cent in 1995 and 37 per cent in 1997 (the figures for 1996 are not available).

186. An example of projects receiving financial support is the publication of a newsletter by a women's communication network. The newsletter is published on a regular basis, providing women all over Iceland with information on employment issues, education and other factors which may be of use to women in connection with their opportunities and rights on the labour market.

187. Additionally, the fund has financially supported the hiring of special employment consultants who focus on women in particular. Special women's

workshops in the rural districts have received special support. Various activities by women take place at these workshops, including in the woollen industry and weaving. Various courses for women have received support, as well as individual projects, particularly in the rural districts.

188. During the period 1986-1989, the Technological Institute of Iceland organized courses for women wanting to establish their own enterprises. A few such courses were held in the rural districts. In 1989, a decision was made to study the results of these courses, and a questionnaire was sent to all the women who had attended such a course. The results of the study showed, among other things, that a greater number of women were operating companies than before the courses were held, i.e., the percentage was 38 per cent before the courses were held, whereas the figure rose to 48 per cent and many women used the courses to decide on such operations. About 40 per cent of the women asked said the courses had fuelled their interest in this regard.

189. A decision was made after this study to review the courses. In the fall of 1992 a new type of course was launched under the slogan "Active women", intended for rural women in particular. Over 100 women attended the course, which was held at various locations during 1992 and 1993.

190. The Technological Institute has issued a special handbook for women on finance, various rights and insurance matters pertaining to the situation of women in the labour market, marital status and family issues. In continuation of the book's publication, women in various parts of Iceland were invited to receive training about their situation and rights.

191. It should also be mentioned that through an agreement with Invest in Saudárkrókur in northern Iceland, the Ministry of Social Affairs has established the position of an equal status consultant. The consultant's office will be at the headquarters of Invest, and he/she will cooperate closely with the Office for Gender Equality and the Ministry on employment build-up in the district. This project is primarily intended to improve the situation of rural women and to increase their opportunity to work outside of the home.

192. The parliamentary resolution proposal on the government's action programme on gender equality also contains a number of other projects (for example, under the umbrella of the Ministry of Agriculture) that will undoubtedly improve the situation of rural women.

Article 15

193. Iceland meets all the provisions of article 15. As stated earlier, article 65, paragraph 1, of the Constitution of Iceland stipulates that all shall be equal before the law without regard, for example, to sex. Paragraph 2 of the same article states that men and women shall have equal rights in every respect. Equality between women and men is therefore a constitutionally protected right according to Icelandic law. In addition to the constitutional provision, article 3 of the Equal Status Act No. 28/1991, stipulates that any kind of discrimination on grounds of gender is prohibited. These provisions, among others, result in women having the same rights as men to enter into agreements and to administer property and being subject to equal treatment at

all levels of judicial procedure. Article 4 of the Marital Act No. 31/1993 states that either party to a marriage shall be in control of his or her property and be responsible for debt, as further defined by the law.

194. According to article 66, paragraph 4, of the Constitution of Iceland, every person whose domicile is in Iceland shall determine their own residence and enjoy the freedom of travel within the limitations of law. This provision applies irrespective of gender (see art. 65 of the same law). There exists a special law from 1990 on domicile. According to this law, every person staying longer than six months in Iceland is obligated to inform the Statistical Bureau of Iceland of his or her legal residence. Certain rules apply to married couples, who are obligated to have one and the same legal residence. In instances of a married couple having separate residences and their disagreement on which should be considered their legal residence, their legal residence shall be deemed as being that of the party where their children stay. In such instances, and if there are no children in such a marriage, the office of the National Register of the Statistical Bureau will determine the legal residence.

195. It should be mentioned that a decision has been made to start education in women's rights at the University of Iceland's Law School.

Article 16

196. In addition to a general prohibition on discrimination due to gender, spelled out both in the Constitution of Iceland and the Equal Status Act, the Marital Act No. 31/1993, specially stipulates equality between spouses. According to article 2 of this law, spouses hold equal rights in every respect in their marriage and have equal responsibilities towards each other and their children. They are obligated to be faithful towards each other, support each other and to jointly protect the interests of the home and family. They are jointly to care for their children, provide for them and work together in providing for the family by means of financial contributions, working in the home and in other ways. According to article 3 of this law, a married couple shall divide between them the duties in the home to the extent possible, as well as the costs pertaining to the operation of a household and provision for the family. They are obligated to provide each other with information on their finances and income.

197. Article 7 of the law stipulates that a man and a woman may enter into marriage when they have reached the age of 18. The conditions of marriage are the same for men and women. Upon the dissolution of marriage, women and men have the same rights. Article 6 states, for example, that upon the financial settlement, the clear property of the marriage shall be equally divided. A married couple have the same rights to custody over their children after the dissolution of the marriage irrespective of gender. According to the Children's Act, the interests and needs of the child shall prevail.

198. According to article 75 of the Constitution of Iceland, all persons are free to engage in the kind of work they choose, and this applies to both genders. The same rules apply to the family names of both men and women, according to the Act on Names.

199. It should be mentioned in conclusion that the legal adoption of article 65, paragraph 2, of the Constitution of Iceland on women and men having the same rights in every respect, eliminates any doubt regarding the equal rights of the genders under Icelandic law.